

REMARKS

The present amendment is submitted in response to the Office Action dated November 4, 2003, which set a three-month period for response, making this amendment due by February 4, 2004.

Claims 17-22 are pending in this application.

In the Office Action, claims 1-8 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 1, 3, and 4 stand rejected under 35 U.S.C. 102(b) as being anticipated by Isom et al, cited in Applicants' IDS.

The Applicants first wish to note that in the Simultaneous Amendment filed July 11, 2001, original claims 1-8 were canceled and an amended set of eight claims was added. However, these newly added claims were numbered incorrectly as claims 1-8. Then, the pending claims were renumbered correctly as claims 9-16, which are now cancelled.

Also in this amendment, the specification was amended to add and/or change section headings and to delete reference to the claims.

To address the rejections under Section 112, second paragraph, the claims have been amended substantially to more clearly define the relationships between the various components.

Claim 17 specifically defines that the invention deals with a unitized starter construction system for an internal combustion engine. The system includes a plurality of sets of modules of different types. In particular there are sets of modules of a first type each being formed as a drive module having a starter motor, and also sets of modules of a second type each being formed as a gear module having a reduction gear.

Claim 17 further defines that at least a set of modules of one type has at least two modules of the same one type. The drive modules include a first unitized face embodied as a pinion gear, while the gear module includes a second unitized interface with a receiving area for the pinion gear.

The unitized starter construction system is designed so that the drive module and the gear module are operatively connectable within one another by bringing together the first and second interfaces. Also, in accordance with the present invention at least one module of another type is operatively connected with any of the at least two modules of the one type.

The Applicants respectfully direct the Examiner's attention to the specification on page 2, lines 13-21 and page 3, lines 7-17, for an explanation of the advantages of the invention. Specifically, the unitized first and second interfaces allow that from the total set of modules, an arbitrary drive module and an arbitrary gear module can be selected, based solely on the desired overall characteristics of the total starter. These modules can therefore be combined without the need for adaptations or modifications.

The cited patent to Isom et al fails to define a unitized starter construction system, made up of various types of modules, from which a drive module and a gear module can be selected arbitrarily to form the starter system. Isom et al thus fail to provide a system using various modules, which can be expanded in variable ways to make starter systems with different parameters.

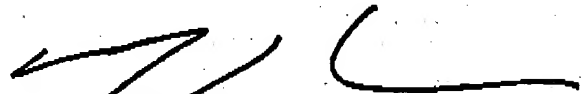
Because Isom et al do not disclose at least this one feature of the present invention, the rejection of claims under Section 102 cannot be maintained. A prior art reference anticipates a claim only if the reference discloses every limitation of the claims. Absence from the reference of any claimed element negates anticipation. *Row v. Dror*, 42 USPQ 2d 1550, 1553 (Fed. Cir. 1997) (quoting *Kloster Speedsteel AB v. Crucible, Inc.*, 230 USPQ 81, 84 (Fed. Cir. 1986)).

For the reasons set forth above, the Applicants respectfully submit that claims 17-22 are patentable over the cited reference. The Applicants further request withdrawal of the rejection under 35 U.S.C. 102 and reconsideration of the claims as herein amended.

In light of the foregoing arguments in support of patentability, the Applicants respectfully submit that this application stands in condition for allowance. Action to this end is courteously solicited.

Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,



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